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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MICHAEL R. MARCUS and VICTORIA L.  
MARCUS,

Plaintiffs,

vs.

AIR & LIQUID SYSTEMS CORPORATION,  
*et al.*,

Defendants.

Case No.: 4:22-cv-09058-HSG

[Alameda County Superior Court Case No.:  
22CV021840]

**STIPULATION OF DISMISSAL  
WITHOUT PREJUDICE; ORDER**

Courtroom: 02, 4<sup>th</sup> Floor

District Judge: Hon. Haywood S. Gilliam Jr.

Filed in State Court: November 15, 2022

Removed to NDCA: December 21, 2022

Trial Date: September 9, 2024.

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that, pursuant to Federal Rule of Civil Procedure Section  
3 41(a)(1)(A)(i)(ii), Plaintiffs Michael R. Marcus and Victoria L. Marcus (“Plaintiffs”) and  
4 Defendant ITT LLC, Individually and as successor-in-interest to Lawler Manufacturing, only,  
5 (“Defendant”) hereby stipulates as follows:

6 1. On November 15, 2022, Plaintiffs filed their Complaint for Personal Injury and Loss  
7 of Consortium – Asbestos in the Superior Court of the State of California, Couty of Alameda  
8 Case No. 22CV021840.

9 2. On December 21, 2022, the above action was removed to the United States District  
10 Court, Northern District of California, Case No. 4:22-09058.

11 4. On April 11, 2024, Plaintiffs and Defendant reached an agreement of all claims in this  
12 action.

13 Based on the foregoing facts, Plaintiffs and Defendant stipulate and agree to the  
14 following:

15 This Court should dismiss this Action in its entirety against ITT LLC, Individually and  
16 as successor-in-interest to Lawler Manufacturing, only, without prejudice. Each party to bear its  
17 own fees and cost.

18 DATED: April 11, 2024

Maune Raichle Hartley French & Mudd LLC

19 By:  \_\_\_\_\_

20 Rabiah N. Oral  
21 Attorney for Plaintiffs

22 DATED: April 11, 2024

Morgan, Lewis & Bockius LLP

23 By: /s/ Amy Talarico

24 Amy J. Talarico  
25 Attorney for ITT LLC, Individually and as  
26 successor-in-interest to Lawler  
27 Manufacturing

**LOCAL RULE 5-1(i)(3) SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS**

In accordance with L.R5-1(i)(3), I, Rabiah N. Oral, attest that all signatories identified above, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

DATED: April 11, 2024

By: 

Rabiah N. Oral, Esq.  
Attorney for Plaintiffs


**ORDER**

Having read and considered the foregoing stipulation of parties, and good cause appearing:

PURSUANT TO STIPULATION, IT IS SO ORDERED that ITT LLC, Individually and as successor-in-interest to Lawler Manufacturing, only, is dismissed without prejudice from this Action in its entirety.

IT IS SO ORDER.

DATED: 4/12/2024

  
Hon. Haywood S. Gilliam, Jr.  
UNITED STATES DISTRICT COURT JUDGE